

Exhibit 111

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IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

VIDEOTAPED DEPOSITION OF ROY IKHYUN KIM

San Diego, California

Wednesday, February 8, 2023

Reported by:

Lynda L. Fenn, CSR, RPR

CSR No. 12566

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1	IN THE UNITED STATES DISTRICT COURT	1 APPEARANCES:
2	FOR THE SOUTHERN DISTRICT OF NEW YORK	2
3		3 For the Defendants:
4		4
5	NIKE, INC.;)	5 KILPATRICK TOWNSEND & STOCKTON LLP
6) Plaintiff,)	6 BY: ROBERT N. POTTER, ESQ.
7) vs.) Case No.	7 The Grace Building
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13	VIDEOTAPED DEPOSITION of ROY IKHYUN KIM,	14 BY: KATHRYN SABA, ESQ.
14	taken on behalf of Plaintiff, San Diego,	15 66 Hudson Boulevard
15	California, at 9:56 a.m. and ending at 1:40	16 New York, New York 10001
16	p.m., Wednesday, February 8, 2023, reported by	17 (212) 909-6760
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18	Shorthand Reporter within and for the State of	19
19	California, pursuant to notice.	20
20		21
21		22
22		23
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3	NUMBER	DESCRIPTION	3	INFORMATION REQUESTED
4			4	
5	Exhibit 39	A nine-page document entitled	5	
6		Page Vault; NIKE0036330 -	6	(None)
7		NIKE0036338	7	
8			8	INSTRUCTION NOT TO ANSWER
9	Exhibit 40	A one-page email from Roy Kim	9	
10		to Tamar Duvdevani, July 11,	10	(None)
11		2022; NIKE0029007	11	
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14		with an email from Roy Kim to	14	
15		Russ Amidon, August two, 2022;	15	
16		STX0772942 - STX0772945	16	
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19		with an email from StockX to	19	
20		Roy Kim, August two, 2022;	20	
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2			2	Wednesday, February 8, 2023
3	NUMBER	DESCRIPTION	3	9:56 a.m. - 1:40 p.m.
4			4	
5	Exhibit 43	A four-page email chain ending	5	
6		with an email from Russ Amidon	6	
7		to Roy Kim, July seven, 2022;	7	THE VIDEOGRAPHER: Good morning. We're
8		RK000018 - RK000021	8	going on the record at 9:56 a.m. on Wednesday
9			9	February eight, 2023.
10	Exhibit 44	A six-page email chain ending	10	Please note the microphones are sensitive
11		with an email from StockX to	11	and may pick up whispering and private conversations.
12		Roy Kim, July 25, 2022;	12	Please mute your phones at this time.
13		RK000022 - RK000027	13	Audio and video recording will continue to
14		155	14	take place unless all parties agree to go off the
15	Exhibit 45	A one-page printed from	15	record.
16		Instagram; STX0774399	16	This is media unit one of the
17			17	video-recorded deposition of Roy Kim testifying in
18	Exhibit 46	An eight-page email chain	18	the matter of Nike, Inc., versus Stockx, LLC filed in
19		ending with an email from Tamar	19	the United States District Court for the Southern
20		Duvdevani to Roy Kim, July ten,	20	District of New York, Case No. 1:22-cv-00983.
21		2022; RX000002 - RK000009	21	The location of this deposition is 4365
22			22	Executive Drive, DLA Piper, Fourth Floor, San Diego,
23			23	California.
24			24	My name is Gregg Eisman representing
25			25	Veritext and I'm the videographer. The court

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<p style="text-align: right;">Page 22</p> <p>1 Does that make sense?</p> <p>2 A Yes.</p> <p>3 Q Please answer your questions audibly so</p> <p>4 that the court reporter can take down your testimony</p> <p>5 and so that's -- that it is accurate. Please do not</p> <p>6 nod or gesture with your -- with your answers.</p> <p>7 Please wait until I finish asking the</p> <p>8 question to answer. This is going to be particularly</p> <p>9 important because of the fact that you have an</p> <p>10 attorney here defending you and we need to give him</p> <p>11 the chance to lodge objections.</p> <p>12 Unless your attorney instructs you not to</p> <p>13 answer my question, you must answer.</p> <p>14 Do you understand that?</p> <p>15 A Yes.</p> <p>16 Q If you want to the stop to take a break at</p> <p>17 any point, that's perfectly fine, please just say so.</p> <p>18 The only time you are not permitted to take a break</p> <p>19 is when a question is pending.</p> <p>20 A Okay.</p> <p>21 Q Do you understand these instructions?</p> <p>22 A Yes, I do.</p> <p>23 Q Okay.</p> <p>24 Is there any reason why you cannot testify</p> <p>25 honestly, accurately and completely today?</p>	<p style="text-align: right;">Page 24</p> <p>1 sneakers?</p> <p>2 A No.</p> <p>3 Q What -- what brands do you collect?</p> <p>4 A I collect Nike, New Balances, Asics,</p> <p>5 Adidas, Puma.</p> <p>6 I collect basically any brand that has an</p> <p>7 interesting shoe that I like.</p> <p>8 Q And I believe you mentioned that you sell</p> <p>9 sneakers; is that right?</p> <p>10 A Yes.</p> <p>11 Q Okay. And where do you sell sneakers?</p> <p>12 A I sell sneakers through consignment stores,</p> <p>13 through swap meets, online through applications like</p> <p>14 GOAT and StockX and sometimes with friends.</p> <p>15 Q Any other applications besides GOAT or</p> <p>16 StockX that you use?</p> <p>17 A I have sold through eBay before as well.</p> <p>18 Q And if you can give me a general estimate,</p> <p>19 how many sneakers have you resold?</p> <p>20 A I don't know. I would have to look it up,</p> <p>21 but let's call it a thousand, though.</p> <p>22 Probably maybe in the neighborhood of maybe</p> <p>23 two thousand, three thousand. Somewhere in there.</p> <p>24 Q And how long have you been selling sneakers</p> <p>25 for -- reselling sneakers?</p>
<p style="text-align: right;">Page 23</p> <p>1 A No.</p> <p>2 Q Are you on any medications that would</p> <p>3 impair your ability to testify truthfully?</p> <p>4 A No.</p> <p>5 Q Okay. Thank you.</p> <p>6 Mr. Kim, would you consider yourself a</p> <p>7 sneaker collector?</p> <p>8 A I would, yes.</p> <p>9 Q And what does it mean to you to be a</p> <p>10 sneaker collector?</p> <p>11 A It's somebody who enjoys the history of</p> <p>12 sneakers and spends time buying them, trading them,</p> <p>13 accumulating a collection of them.</p> <p>14 Q How many sneakers have you purchased since</p> <p>15 you became a collector?</p> <p>16 A As a collector, a couple hundred, maybe</p> <p>17 400, 500 for my personal collection.</p> <p>18 Q And how much would you estimate you have</p> <p>19 spent on your collection?</p> <p>20 A My personal collection would be</p> <p>21 \$300,000-ish. I don't know. That's my guess.</p> <p>22 Q How many sneakers do you currently own?</p> <p>23 A My total inventory, so including the shoes</p> <p>24 that I re-sell, I have around 5,000 pairs right now.</p> <p>25 Q And do you collect a specific brand of</p>	<p style="text-align: right;">Page 25</p> <p>1 A Since 2018 is when I would probably say I</p> <p>2 started reselling sneakers.</p> <p>3 Q Where do you purchase your sneakers?</p> <p>4 A I purchase them from retail stores. From</p> <p>5 StockX. From Instagram sellers as well.</p> <p>6 I purchase some from GOAT and eBay as well.</p> <p>7 Q Do you ever purchase directly from</p> <p>8 retailers?</p> <p>9 A I do.</p> <p>10 Q Okay.</p> <p>11 Can you give me some examples?</p> <p>12 A I've bought directly from Nike. I've</p> <p>13 brought directly from Adidas. New Balance.</p> <p>14 I also by from resellers like Foot Locker,</p> <p>15 Champs, DTLR.</p> <p>16 I mean any retailer that sells shoes, I've</p> <p>17 probably brought from them in the past two years.</p> <p>18 Q And now you mentioned again StockX and</p> <p>19 GOAT.</p> <p>20 A Uh-huh.</p> <p>21 Q Is there a resell platform that you used</p> <p>22 most frequently before July 2022?</p> <p>23 A Yes, StockX is the main resell platform I</p> <p>24 use.</p> <p>25 Q Okay.</p>

<p style="text-align: right;">Page 26</p> <p>1 And why did you use this platform the most?</p> <p>2 A StockX offered the best prices. As also a</p> <p>3 power buyer, I've had discounts on shipping so it</p> <p>4 made no sense economically to purchase through their</p> <p>5 platform.</p> <p>6 Q Now, how much have you spent purchasing on</p> <p>7 StockX platform?</p> <p>8 A Over a million dollars.</p> <p>9 Q And if you can recall, do you know when you</p> <p>10 made your first purchase from StockX?</p> <p>11 A Probably 2017, 2018. But I have to look</p> <p>12 that up to be specific.</p> <p>13 Q And how many purchases would you estimate</p> <p>14 you've made from StockX to date?</p> <p>15 A Maybe around 5,000 shoes or so.</p> <p>16 Q And are you familiar with the StockX term</p> <p>17 "power buyer"?</p> <p>18 A That was a phrase that I use. They might</p> <p>19 use it, but I'm not sure if they use it.</p> <p>20 Q And what does "power buyer" mean?</p> <p>21 A It's just somebody who -- if they spend a</p> <p>22 certain amount within a quarter, they get discounted</p> <p>23 shipping rates.</p> <p>24 Q And what amount is that, if you know?</p> <p>25 A I don't recall off the top of my head.</p>	<p style="text-align: right;">Page 28</p> <p>1 like slight defects, like, you know, they might have</p> <p>2 had stains and stuff, but I don't -- I don't recall</p> <p>3 exactly.</p> <p>4 Q Okay.</p> <p>5 After becoming a power buyer, did you ever</p> <p>6 have any issues with a product you received from</p> <p>7 StockX?</p> <p>8 A Yeah.</p> <p>9 Q And what issue was that?</p> <p>10 A I received a batch of fake shoes from them</p> <p>11 and it's very specific SKUs. There are three SKUs</p> <p>12 that I bought earlier this -- I'm sorry, early in</p> <p>13 2022, around springtime that turned out to be fake.</p> <p>14 Q And what products are those?</p> <p>15 A They were Nike Air Jordan 1s in three</p> <p>16 specific colorways. One which was the University</p> <p>17 Blue colorway, the second which was the Dark Mocha</p> <p>18 and the third which was the Hyper Royal colorway.</p> <p>19 Q And why did you suspect the product you</p> <p>20 received was fake?</p> <p>21 A On -- on my Instagram I tend to post the</p> <p>22 shoes that I'm purchasing for some of my kind of</p> <p>23 reseller Instagram followers to discuss. And I had</p> <p>24 posted that the price of these three SKUs had</p> <p>25 diminished to a point where I thought there could be</p>
<p style="text-align: right;">Page 27</p> <p>1 Q Does it entitle you to any other special</p> <p>2 benefits beyond discounted shipping?</p> <p>3 A I'm told that we get a dedicated customer</p> <p>4 support rep for our issues, but I'm not a hundred</p> <p>5 percent sure that's actually the case.</p> <p>6 Q And when did you become a StockX power</p> <p>7 buyer?</p> <p>8 A I've had that discount -- for over a year</p> <p>9 at least. I don't know exactly.</p> <p>10 Q Are you aware of like -- was there a</p> <p>11 threshold amount that you sold to -- to become a</p> <p>12 power buyer with StockX?</p> <p>13 A Yeah, a threshold amount that I bought</p> <p>14 within a time period.</p> <p>15 There was an email that they sent that</p> <p>16 tells you what the thresholds are, but I didn't</p> <p>17 really read it, you know, because they just said I</p> <p>18 got a discount so I said, That's cool.</p> <p>19 Q Okay.</p> <p>20 Prior to becoming a power buyer, did you</p> <p>21 ever have any issues with any product that you</p> <p>22 received from StockX?</p> <p>23 A Not to my memory.</p> <p>24 Q Okay.</p> <p>25 A There's a few shoes that might have had</p>	<p style="text-align: right;">Page 29</p> <p>1 some profit to be made, because these are high demand</p> <p>2 SKUs.</p> <p>3 I received a message from somebody, I don't</p> <p>4 remember who, who just kind of warned me that there</p> <p>5 was a rumor going around that these shoes -- that</p> <p>6 there was a batch of fakes going through StockX that</p> <p>7 were passing.</p> <p>8 So when I received the shoes, I took a look</p> <p>9 at them and then I ran them through two apps that</p> <p>10 allow you to send photos to do like authenticity</p> <p>11 checks on them: CheckCheck App and Legit Check App.</p> <p>12 And those started returning in large number that</p> <p>13 these shoes were fake, so I was kind of -- had my</p> <p>14 suspicions confirmed when I ran these shoes through</p> <p>15 those two apps and they both returned with the same</p> <p>16 results.</p> <p>17 Q Did you attempt to contact StockX to return</p> <p>18 that product?</p> <p>19 A Yes, I reached out to them through their</p> <p>20 customer support help thing on their website to try</p> <p>21 to get someone to reach out because there was a large</p> <p>22 number of shoes that were failing.</p> <p>23 Q And did you receive a response?</p> <p>24 A Initially, no.</p> <p>25 Q How many times did you contact StockX</p>

<p style="text-align: right;">Page 30</p> <p>1 before receiving a response?</p> <p>2 A Through the email chat I sent them, I</p> <p>3 think, one message. And then I had also reached out</p> <p>4 through their Discord because the moderators on that</p> <p>5 Discord were a little bit more accessible.</p> <p>6 I didn't hear from them back either, so I</p> <p>7 had to post on my Instagram instead.</p> <p>8 Q And so was it after you posted on your</p> <p>9 Instagram when you were able to make contact with</p> <p>10 StockX?</p> <p>11 A Yeah, StockX reached out to me after they</p> <p>12 saw the post go viral on the sneaker Instagram sites.</p> <p>13 Q In contacting StockX, did you express that</p> <p>14 you had suspected the product was fake?</p> <p>15 A Yes, I believe so.</p> <p>16 Q And were you ultimately able to return the</p> <p>17 product?</p> <p>18 A I was, yes.</p> <p>19 Q Now, after you became a power buyer with</p> <p>20 StockX, did you have issues with any other products</p> <p>21 that you received from StockX?</p> <p>22 A Not to my knowledge, no.</p> <p>23 Q How would you characterize the customer</p> <p>24 service you received from StockX prior -- withdrawn.</p> <p>25 How would you characterize the customer</p>	<p style="text-align: right;">Page 32</p> <p>1 products?</p> <p>2 A I don't recall any other situation where I</p> <p>3 had to return something to them.</p> <p>4 Q Now, of the products that you purchased</p> <p>5 from StockX, have any failed authentication when you</p> <p>6 attempted to sell them on another platform?</p> <p>7 A Not to my knowledge. I mean, we're only</p> <p>8 really talking about GOAT and eBay if we're talking</p> <p>9 applications.</p> <p>10 So, no, I have not tried to sell -- I</p> <p>11 haven't had any issues with stuff I bought from</p> <p>12 StockX that I sold through GOAT and eBay, no.</p> <p>13 Q Okay.</p> <p>14 Of the products that you purchased from</p> <p>15 StockX, have any failed authentication when you</p> <p>16 attempted to sell them again on StockX?</p> <p>17 MR. POTTER: Objection to form.</p> <p>18 THE WITNESS: Yes, I've had pairs fail but</p> <p>19 not because of authenticity reasons.</p> <p>20 MS. REINCKENS: Okay.</p> <p>21 BY MS. REINCKENS:</p> <p>22 Q Why -- why have the products failed?</p> <p>23 A Well, I got one last week where the bottom</p> <p>24 of the shoe apparently was dirty. I haven't gotten</p> <p>25 the shoe back to look at it, but they said the bottom</p>
<p style="text-align: right;">Page 31</p> <p>1 service you received from StockX after becoming a</p> <p>2 power buyer?</p> <p>3 A Their customer service is generally pretty</p> <p>4 good just not in this particular case. Generally,</p> <p>5 they are responsive to any issues that I have as a</p> <p>6 buyer or a seller within 24 hours.</p> <p>7 In this case I didn't hear back from.</p> <p>8 Q And do you think that StockX made it easier</p> <p>9 for you to return products with issues?</p> <p>10 A I'm sorry, I don't understand your</p> <p>11 question.</p> <p>12 Q Yeah.</p> <p>13 Did StockX make it easy for you to return</p> <p>14 products with issues?</p> <p>15 A Outside of this particular scenario or</p> <p>16 others?</p> <p>17 Q Well, let's focus on this particular</p> <p>18 scenario.</p> <p>19 A In this scenario, yeah, once they received</p> <p>20 the shoes and verified that, you know, they were</p> <p>21 fake, it was easy for me to return.</p> <p>22 They sent me a bunch of shipping label and</p> <p>23 I sent the shoes back with them.</p> <p>24 Q Okay. How about in other situations?</p> <p>25 Does StockX make it easy for you to return</p>	<p style="text-align: right;">Page 33</p> <p>1 of the shoe was dirty.</p> <p>2 But this was a shoe that I had purchased</p> <p>3 from StockX, left in my storage unit and then tried</p> <p>4 to sell back recently.</p> <p>5 Q And did you attempt to contact StockX</p> <p>6 following that?</p> <p>7 A No.</p> <p>8 Q Any other situations you can think of where</p> <p>9 a product you purchased from StockX may have failed</p> <p>10 when you attempted to sell them again on StockX?</p> <p>11 MR. POTTER: Objection to form.</p> <p>12 THE WITNESS: I can't remember. I mean</p> <p>13 there have been cases, I just can't remember the</p> <p>14 specific details.</p> <p>15 Generally when it happens I just take the</p> <p>16 shoe back, I take a look at it, I'll clean it up and</p> <p>17 then -- yeah, if they say, like, the bottom of the</p> <p>18 insole is dirty, I'll clean and, you know, sell them</p> <p>19 again.</p> <p>20 MS. REINCKENS: Can you please mark this as</p> <p>21 Exhibit No. ROY 1.</p> <p>22 Actually, I think we can do Exhibit</p> <p>23 No. KIM -- KIM 1, sorry.</p> <p>24 (Plaintiff's Exhibit 1 was marked for</p> <p>25 identification by the Certified Shorthand Reporter</p>

<p style="text-align: right;">Page 34</p> <p>1 and is attached hereto.)</p> <p>2 BY MS. REINCKENS:</p> <p>3 Q Mr. Kim, what is your email address?</p> <p>4 A Roy I. Kim at Gmail dot-com.</p> <p>5 Q Is this the only email address you used to</p> <p>6 contact StockX?</p> <p>7 A It is.</p> <p>8 Q All right.</p> <p>9 Now, the court reporter has handed you a</p> <p>10 document that's been marked as Exhibit No. KIM 1.</p> <p>11 Do you have that in front of you?</p> <p>12 A I do.</p> <p>13 Q Okay.</p> <p>14 What is this document?</p> <p>15 A This is an email of an order of a shoe that</p> <p>16 I purchased from StockX.</p> <p>17 Q Okay.</p> <p>18 And when do you receive one of these emails</p> <p>19 from StockX?</p> <p>20 A I'm sorry?</p> <p>21 Q When do you receive one of these emails</p> <p>22 from StockX?</p> <p>23 A You receive this email -- I received this</p> <p>24 email when an order goes through StockX and I paid</p> <p>25 for it and I commit to buying it.</p>	<p style="text-align: right;">Page 36</p> <p>1 your purchase?</p> <p>2 A It is.</p> <p>3 Q And what type of shoe is this order for?</p> <p>4 A This is a Jordan 1 University Blue.</p> <p>5 Q And if you look at the Bates numbered page</p> <p>6 RK 000029 it says, "Condition."</p> <p>7 Do you see that, sir?</p> <p>8 A Oh, yeah, it says, "Condition: New, one</p> <p>9 hundred percent authentic."</p> <p>10 Q Okay.</p> <p>11 And did you receive this order from StockX?</p> <p>12 A I did.</p> <p>13 Q All right.</p> <p>14 You can put that to the side and I'll</p> <p>15 apologize in advance, we are going to be going</p> <p>16 through a lot of these in a similar fashion.</p> <p>17 MS. REINCKENS: Would you mark this as</p> <p>18 Exhibit No. KIM 2.</p> <p>19 (Plaintiff's Exhibit 2 was marked for</p> <p>20 identification by the Certified Shorthand Reporter</p> <p>21 and is attached hereto.)</p> <p>22 MS. REINCKENS: Okay.</p> <p>23 BY MS. REINCKENS:</p> <p>24 Q Mr. Kim, the court reporter has handed you</p> <p>25 an exhibit marked as Exhibit No. KIM 2.</p>
<p style="text-align: right;">Page 35</p> <p>1 Q Okay.</p> <p>2 So it's after you purchased a product from</p> <p>3 StockX; correct?</p> <p>4 A Yes, that's correct.</p> <p>5 Q All right.</p> <p>6 And in your experience do you typically</p> <p>7 receive an order confirmation from StockX after</p> <p>8 purchasing?</p> <p>9 A Yes, almost immediately.</p> <p>10 Q So was the date the order was confirmed on</p> <p>11 or around the date of the purchase then?</p> <p>12 A Yes, it would be --</p> <p>13 MR. POTTER: Objection; form.</p> <p>14 THE WITNESS: Oh, sorry.</p> <p>15 Yes, it would be right around the date of</p> <p>16 the email.</p> <p>17 MS. REINCKENS: Okay.</p> <p>18 BY MS. REINCKENS:</p> <p>19 Q Now, looking at Exhibit No. KIM 1, what</p> <p>20 date is shown here for that?</p> <p>21 A May 30th, 2022.</p> <p>22 Q Okay.</p> <p>23 And what order number is this?</p> <p>24 A This is Order No. 37857795, dash, 37757554.</p> <p>25 Q Is this document an accurate reflection of</p>	<p style="text-align: right;">Page 37</p> <p>1 Do you have that in front of you?</p> <p>2 A I do.</p> <p>3 Q All right.</p> <p>4 And do you recognize this document?</p> <p>5 A I do.</p> <p>6 Q And what is it?</p> <p>7 A It is an order purchase confirmation from</p> <p>8 StockX.</p> <p>9 Q Okay.</p> <p>10 And what date did you receive this email?</p> <p>11 A Dated May 30th, 2022.</p> <p>12 Q And is this document an accurate reflection</p> <p>13 of what you were trying to purchase?</p> <p>14 A It is.</p> <p>15 Q What type of shoe was this order for?</p> <p>16 A This was a Jordan 1 University Blue.</p> <p>17 Q Okay.</p> <p>18 And what's the order number?</p> <p>19 A 37857800, dash, 37757559.</p> <p>20 Q And if you look at RK 32, it, once again,</p> <p>21 says the condition.</p> <p>22 Do you see that?</p> <p>23 A Yes, it's "New, one hundred percent</p> <p>24 authentic."</p> <p>25 Q Did you receive this order from StockX?</p>

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<p>1 A I did.</p> <p>2 MS. REINCKENS: Mark this is Exhibit</p> <p>3 No. KIM 3.</p> <p>4 (Plaintiff's Exhibit 3 was marked for</p> <p>5 identification by the Certified Shorthand Reporter</p> <p>6 and is attached hereto.)</p> <p>7 MS. REINCKENS: Okay.</p> <p>8 BY MS. REINCKENS:</p> <p>9 Q Mr. Kim, the court reporter has handed you</p> <p>10 a document that's been marked as Exhibit No. KIM 3.</p> <p>11 I'll just say on the record it bear the Bates numbers</p> <p>12 RK 37 through RK 43.</p> <p>13 Do you recognize this document?</p> <p>14 A Yes, it's a series of emails for a shoe I</p> <p>15 bought on the same day with the same shoe size, a</p> <p>16 Jordan 1 University Blue.</p> <p>17 Q Okay.</p> <p>18 And what -- let's take this just in a</p> <p>19 couple of steps here.</p> <p>20 This -- this is an order confirmation then</p> <p>21 for an order of -- is it three pairs of shoes; is</p> <p>22 that right?</p> <p>23 A One, two, three -- yes, three shoes.</p> <p>24 Q Okay.</p> <p>25 And if you would be kind enough just to</p>	Page 38	Page 40
<p>1 state on the record the order numbers, please.</p> <p>2 A Yes. The order number for the first one is</p> <p>3 37858112, dash, 37757871.</p> <p>4 The order number for the second pair is</p> <p>5 37864122, dash, 37763881.</p> <p>6 The order number for the third one is</p> <p>7 37881414, dash, 37781173. All marked, "New, a</p> <p>8 hundred percent authentic."</p> <p>9 Q Okay.</p> <p>10 And did you receive these orders from</p> <p>11 StockX?</p> <p>12 A I did.</p> <p>13 Q Okay.</p> <p>14 MS. REINCKENS: Exhibit No. KIM 4.</p> <p>15 THE WITNESS: Thank you.</p> <p>16 (Plaintiff's Exhibit 4 was marked for</p> <p>17 identification by the Certified Shorthand Reporter</p> <p>18 and is attached hereto.)</p> <p>19 BY MS. REINCKENS:</p> <p>20 Q The court reporter has handed you an</p> <p>21 exhibit marked as Exhibit No. KIM 4. It bears the</p> <p>22 Bates numbers RK 44 through RK 46.</p> <p>23 Do you recognize this document?</p> <p>24 A Yes, it is an email confirmation for an</p> <p>25 order made for Jordan 1 University Blue on June 28th,</p>	Page 39	Page 41

<p>1 THE WITNESS: Thank you. 2 MS. REINCKENS: Okay. 3 BY MS. REINCKENS: 4 Q Mr. Kim, the court reporter has handed you 5 an exhibit marked as Exhibit No. KIM 7 and it bears 6 the Bates numbers RK 53 through RK 61. 7 Do you recognize this document? 8 A Yes, it's an order -- it's an email thread 9 of an email confirmation from StockX on a purchase of 10 four pairs of Jordan 1 University Blues, dated May 11 30th, 2022. The order numbers are 37857845, dash, 12 37757604. 13 The second order is 37857851, dash, 14 37757610. The next order number is 37858011, dash, 15 37757770. 16 The last order number is 37858015, dash, 17 37757774. All marked, "New, one hundred percent 18 authentic." 19 Q And is this document an accurate reflection 20 of what you were trying to purchase? 21 A It is. 22 Q And did you receive the orders from StockX? 23 A I did. 24 MS. REINCKENS: Number eight, please. 25 (Plaintiff's Exhibit 8 was marked for</p>	<p>Page 42</p> <p>1 THE WITNESS: Thank you. 2 BY MS. REINCKENS: 3 Q Mr. Kim, the court reporter has handed you 4 a document marked as Exhibit No. 9. It bears the 5 Bates numbers RK 65 through RK 67. 6 Do you recognize this document? 7 A I do. It is an email confirmation for a 8 StockX purchase of a Jordan 1 High Hyper Royal, 9 Order -- I'm sorry, dated June first, 2022, Order No. 10 37940815, dash, 37840574 marked, "New, one hundred 11 percent authentic." 12 Q Okay. 13 And is this document an accurate reflection 14 of what you were trying to purchase? 15 A It is. 16 Q And did you receive this order -- 17 A I did. 18 Q -- from StockX? 19 A I did, yes. 20 Q Okay. 21 MS. REINCKENS: And -- all right. Perfect. 22 Thank you. 23 Exhibit No. KIM 10, please. 24 (Plaintiff's Exhibit 10 was marked for 25 identification by the Certified Shorthand Reporter</p>
<p>Page 43</p> <p>1 identification by the Certified Shorthand Reporter 2 and is attached hereto.) 3 MS. REINCKENS: Okay. 4 BY MS. REINCKENS: 5 Q Mr. Kim, the court reporter has handed you 6 a document marked as Exhibit No. KIM 8. It bears the 7 Bates number RK 63 through RK 64. 8 Do you recognize this document? 9 A Yes, I do. 10 Q Okay. What is it? 11 A It is an email confirmation for a StockX 12 purchase of the Jordan 1 Hyper Royal, dated June 13 ninth, 2022, with the Order No. 38216724, dash, 14 38116483 marked, "New, one hundred percent 15 authentic." 16 Q And is this document an accurate reflection 17 of what you were trying to purchase? 18 A It is. 19 Q And did you receive this order from StockX? 20 A I did. 21 MS. REINCKENS: This is Exhibit No. KIM 9, 22 please. 23 (Plaintiff's Exhibit 9 was marked for 24 identification by the Certified Shorthand Reporter 25 and is attached hereto.)</p>	<p>Page 45</p> <p>1 and is attached hereto.) 2 MS. REINCKENS: Okay. 3 BY MS. REINCKENS: 4 Q Mr. Kim, you've been handed a document 5 marked as Exhibit No. KIM 10 and it is -- bears the 6 Bates numbers RK 68 through RK 70. 7 Do you recognize this document? 8 A I do. It is an email confirmation for a 9 StockX purchase of a Jordan 1 High Hyper Royal, dated 10 June first, 2022. It has the Order No. 37960474, 11 dash, 37860233, marked, "New, one hundred percent 12 authentic." 13 Q And is this document an accurate reflection 14 of what you were trying to purchase? 15 A It is. 16 Q And did you receive this order from StockX? 17 A I did. 18 MS. REINCKENS: Exhibit No. KIM 11, please. 19 (Plaintiff's Exhibit 11 was marked for 20 identification by the Certified Shorthand Reporter 21 and is attached hereto.) 22 BY MS. REINCKENS: 23 Q Mr. Kim, you've been handed an exhibit 24 marked Exhibit No. KIM 11. It bears the Bates 25 numbers RK 71 through RK 73.</p>

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<p>1 Do you recognize this document?</p> <p>2 A Yes, it is an email confirmation for a</p> <p>3 StockX order of a Jordan 1 High Hyper Royal, dated</p> <p>4 June second, 2022, bearing Order No. 37981780, dash,</p> <p>5 37881539, listed as "New, one hundred percent</p> <p>6 authentic."</p> <p>7 Q And is this a document -- is this document</p> <p>8 an accurate reflection of what you were trying to</p> <p>9 purchase?</p> <p>10 A It is.</p> <p>11 Q And did you receive this order from StockX?</p> <p>12 A I did.</p> <p>13 MS. REINCKENS: Exhibit No. KIM 12, please.</p> <p>14 (Plaintiff's Exhibit 12 was marked for</p> <p>15 identification by the Certified Shorthand Reporter</p> <p>16 and is attached hereto.)</p> <p>17 BY MS. REINCKENS:</p> <p>18 Q Mr. Kim, you've been handed a document</p> <p>19 marked as Exhibit No. KIM 12. It bears the Bates</p> <p>20 numbers RK 74 through RK 76.</p> <p>21 Do you recognize this document?</p> <p>22 A Yes, it's an email confirmation for a</p> <p>23 StockX purchase of a Jordan 1 Hyper Royal, dated May</p> <p>24 30th, 2022, Order No. 37873383, dash, 37773142,</p> <p>25 "Condition: New, one hundred percent authentic."</p>	<p>1 (Plaintiff's Exhibit 14 was marked for</p> <p>2 identification by the Certified Shorthand Reporter</p> <p>3 and is attached hereto.)</p> <p>4 BY MS. REINCKENS:</p> <p>5 Q Mr. Kim, you've been handed a document</p> <p>6 marked as Exhibit No. KIM 14. It bears the Bates</p> <p>7 numbers KIM -- RK 80 through RK 82.</p> <p>8 Do you recognize this document?</p> <p>9 A I do. It is an email confirmation for a</p> <p>10 StockX purchase of a Jordan 1 University Blue, dated</p> <p>11 May 30th, 2022, Order No. 37857778, dash, 37757537,</p> <p>12 marked, "New, one hundred percent authentic."</p> <p>13 Q Is this document an accurate reflection of</p> <p>14 what you were trying to purchase?</p> <p>15 A It is.</p> <p>16 Q And did you receive this order from StockX?</p> <p>17 A I did.</p> <p>18 (Plaintiff's Exhibit 15 was marked for</p> <p>19 identification by the Certified Shorthand Reporter</p> <p>20 and is attached hereto.)</p> <p>21 BY MS. REINCKENS:</p> <p>22 Q Mr. Kim, you've been handed a document</p> <p>23 marked as Exhibit No. KIM 15. It bears the Bates</p> <p>24 numbers RK 83 through RK 85.</p> <p>25 Do you recognize this document?</p>
Page 47	Page 49
<p>1 Q And is this document an accurate reflection</p> <p>2 of what you were trying to purchase?</p> <p>3 A It is.</p> <p>4 Q And did you receive this order from StockX?</p> <p>5 A I did.</p> <p>6 MS. REINCKENS: Exhibit No. KIM 13.</p> <p>7 (Plaintiff's Exhibit 13 was marked for</p> <p>8 identification by the Certified Shorthand Reporter</p> <p>9 and is attached hereto.)</p> <p>10 BY MS. REINCKENS:</p> <p>11 Q Mr. Kim, you've been handed a document</p> <p>12 that's been marked as Exhibit No. KIM 13. It bears</p> <p>13 the Bates numbers RK 77 through RK 79.</p> <p>14 Do you recognize this document?</p> <p>15 A Yes, it is an email confirmation for a</p> <p>16 StockX purchase of a Jordan 1 University Blue, dated</p> <p>17 May 30th, 2022, Order No. 37857774, dash, 377575333,</p> <p>18 marked with the "Condition: New, one hundred percent</p> <p>19 authentic."</p> <p>20 Q And is this document an accurate reflection</p> <p>21 of what you were trying to purchase?</p> <p>22 A It is.</p> <p>23 Q Did you receive this order from StockX?</p> <p>24 A I did.</p> <p>25 MS. REINCKENS: Exhibit No. KIM 14.</p>	<p>1 A I do. It is an email confirmation for a</p> <p>2 StockX purchase of a Jordan 1 University Blue, dated</p> <p>3 May 30th, 2022, bearing Order No. 37857930, dash,</p> <p>4 37757689, "Condition: New, one hundred percent</p> <p>5 authentic."</p> <p>6 Q And is this document an accurate reflection</p> <p>7 of what you were trying to purchase?</p> <p>8 A It is.</p> <p>9 Q Did you receive this order from StockX?</p> <p>10 A I did.</p> <p>11 Q Exhibit No. KIM 16.</p> <p>12 A Thank you.</p> <p>13 (Plaintiff's Exhibit 16 was marked for</p> <p>14 identification by the Certified Shorthand Reporter</p> <p>15 and is attached hereto.)</p> <p>16 MS. REINCKENS: Okay.</p> <p>17 BY MS. REINCKENS:</p> <p>18 Q Mr. Kim, you've been handed an exhibit</p> <p>19 marked as Exhibit No. KIM 16. It bears the Bates</p> <p>20 numbers RK 86 through RK 88.</p> <p>21 Do you recognize this document?</p> <p>22 A Yes, it is an email confirmation for a</p> <p>23 StockX purchase of the Jordan 1 University Blue,</p> <p>24 dated May 30th, 2011, bearing Order No. 37857919,</p> <p>25 dash, 37757678, "Condition: New, one hundred percent</p>

13 (Pages 46 - 49)

<p style="text-align: right;">Page 50</p> <p>1 authentic."</p> <p>2 Q And is this document an accurate reflection</p> <p>3 of what you were trying to purchase?</p> <p>4 A It is.</p> <p>5 Q Did you receive this order from StockX?</p> <p>6 A I did.</p> <p>7 MS. REINCKENS: Exhibit No. KIM 17.</p> <p>8 (Plaintiff's Exhibit 17 was marked for</p> <p>9 identification by the Certified Shorthand Reporter</p> <p>10 and is attached hereto.)</p> <p>11 BY MS. REINCKENS:</p> <p>12 Q Mr. Kim, you've been handed a document</p> <p>13 marked as Exhibit No. KIM 17. It bears the Bates</p> <p>14 numbers RK 89 through RK 91.</p> <p>15 Do you recognize this document?</p> <p>16 A I do. It is an email confirmation for a</p> <p>17 StockX purchase of a Jordan 1 University Blue, dated</p> <p>18 May 30th, 2022, Order No. 37857913, dash, 37757672,</p> <p>19 "Condition: New, one hundred percent authentic."</p> <p>20 Q And is this document an accurate reflection</p> <p>21 of what you were trying to purchase?</p> <p>22 A It is.</p> <p>23 Q And did you receive this order from StockX?</p> <p>24 A I did.</p> <p>25 MS. REINCKENS: Exhibit No. KIM 18, please.</p>	<p style="text-align: right;">Page 52</p> <p>1 BY MS. REINCKENS:</p> <p>2 Q Mr. Kim, you've been handed a document</p> <p>3 marked Exhibit No. KIM 19. It bears the Bates</p> <p>4 numbers RK 95 through RK 97.</p> <p>5 Do you recognize this document?</p> <p>6 A Yes. It's an email confirmation for a</p> <p>7 StockX purchase of a Jordan 1 University Blue, dated</p> <p>8 May 30th, 2022, Order No. 37857996, dash, 37757755,</p> <p>9 "Condition: New, one hundred percent authentic."</p> <p>10 Q And is this document an accurate reflection</p> <p>11 of what you were trying to purchase?</p> <p>12 A It is.</p> <p>13 Q And did you receive this order from StockX?</p> <p>14 A I did.</p> <p>15 (Plaintiff's Exhibit 20 was marked for</p> <p>16 identification by the Certified Shorthand Reporter</p> <p>17 and is attached hereto.)</p> <p>18 BY MS. REINCKENS:</p> <p>19 Q Mr. Kim, you've been handed a document</p> <p>20 marked as Exhibit No. KIM 20 and it bears the Bates</p> <p>21 numbers RK 98 through RK 100.</p> <p>22 Do you recognize this document?</p> <p>23 A I do. It is an email confirmation for a</p> <p>24 StockX purchase of a Jordan 1 University Blue, dated</p> <p>25 May 30th, 2022, bearing Order No. 37857805, dash,</p>
<p style="text-align: right;">Page 51</p> <p>1 (Plaintiff's Exhibit 18 was marked for</p> <p>2 identification by the Certified Shorthand Reporter</p> <p>3 and is attached hereto.)</p> <p>4 THE WITNESS: Thank you.</p> <p>5 BY MS. REINCKENS:</p> <p>6 Q Mr. Kim, the court reporter has handed you</p> <p>7 a document marked Exhibit No. KIM 18. It bears the</p> <p>8 Bates numbers RK 92 through RK 94.</p> <p>9 Do you recognize this document?</p> <p>10 A Yes, it is an email confirmation for a</p> <p>11 StockX purchase of a Jordan 1 University Blue, dated</p> <p>12 May 30th, 2022, bearing Order No. 37857871, dash,</p> <p>13 37757630 "Condition: New, one hundred percent</p> <p>14 authentic."</p> <p>15 Q And is this document an accurate reflection</p> <p>16 of what you were trying to purchase?</p> <p>17 A It is.</p> <p>18 Q And did you receive this order from StockX?</p> <p>19 A I did.</p> <p>20 MS. REINCKENS: Exhibit No. KIM 19, please.</p> <p>21 (Plaintiff's Exhibit 19 was marked for</p> <p>22 identification by the Certified Shorthand Reporter</p> <p>23 and is attached hereto.)</p> <p>24 THE WITNESS: Thank you.</p> <p>25 //</p>	<p style="text-align: right;">Page 53</p> <p>1 37757564, "Condition: New, one hundred percent</p> <p>2 authentic."</p> <p>3 Q And is this document an accurate reflection</p> <p>4 of what you were trying to purchase?</p> <p>5 A It is.</p> <p>6 Q And did you receive this order from StockX?</p> <p>7 A I did.</p> <p>8 Q We're making progress.</p> <p>9 A I bought so many shoes, now I know why this</p> <p>10 takes so long.</p> <p>11 Thank you.</p> <p>12 Q Mr. Kim, the court reporter has handed you</p> <p>13 an exhibit marked as Exhibit No. KIM 21.</p> <p>14 (Plaintiff's Exhibit 21 was marked for</p> <p>15 identification by the Certified Shorthand Reporter</p> <p>16 and is attached hereto.)</p> <p>17 BY MS. REINCKENS:</p> <p>18 Q It bears the Bates numbers RK 101 through</p> <p>19 RK 103.</p> <p>20 Do you recognize this document?</p> <p>21 A Yes, it is an email confirmation for a</p> <p>22 StockX purchase of a Jordan 1 University Blue, dated</p> <p>23 May 30th, 2022, Order No. 37857998, dash, 37757757,</p> <p>24 the condition is new, one hundred percent authentic.</p> <p>25 Q Is this document an accurate reflection of</p>

<p style="text-align: right;">Page 54</p> <p>1 what you were trying to purchase?</p> <p>2 A It is.</p> <p>3 Q Did you receive this order from StockX?</p> <p>4 A I did.</p> <p>5 MS. REINCKENS: Exhibit No. KIM 22.</p> <p>6 (Plaintiff's Exhibit 22 was marked for</p> <p>7 identification by the Certified Shorthand Reporter</p> <p>8 and is attached hereto.)</p> <p>9 THE WITNESS: Thank you.</p> <p>10 BY MS. REINCKENS:</p> <p>11 Q Mr. Kim, the court reporter has handed you</p> <p>12 an exhibit marked as Exhibit No. KIM 22. It bears</p> <p>13 the Bates numbers RK 104 through RK 106.</p> <p>14 Do you recognize this document?</p> <p>15 A I do. It is an email confirmation for a</p> <p>16 StockX purchase of a Jordan 1 Dark Mocha, dated June</p> <p>17 sixth, 2022, bearing Order Number 38124114, dash,</p> <p>18 38023873, "Condition: New, one hundred percent</p> <p>19 authentic."</p> <p>20 Q And is this document an accurate reflection</p> <p>21 of what you were trying to purchase?</p> <p>22 A It is.</p> <p>23 Q Did you receive this order from StockX?</p> <p>24 A I did.</p> <p>25 (Plaintiff's Exhibit 23 was marked for</p>	<p style="text-align: right;">Page 56</p> <p>1 a document marked as Exhibit No. KIM 24. It bears</p> <p>2 the Bates numbers RK 110 through RK 112.</p> <p>3 Do you recognize this document?</p> <p>4 A Yes, it's an email confirmation for a</p> <p>5 StockX purchase of a Jordan 1 Dark Mocha, dated May</p> <p>6 31st, 2022, bearing Order No. 37888982, dash,</p> <p>7 37788741. The condition is marked as "New, one</p> <p>8 hundred percent authentic."</p> <p>9 Q And is this document an accurate reflection</p> <p>10 of what you were trying to purchase?</p> <p>11 A It is.</p> <p>12 Q Did you receive this order from StockX?</p> <p>13 A I did.</p> <p>14 (Plaintiff's Exhibit 25 was marked for</p> <p>15 identification by the Certified Shorthand Reporter</p> <p>16 and is attached hereto.)</p> <p>17 BY MS. REINCKENS:</p> <p>18 Q Mr. Kim, the court reporter has handed you</p> <p>19 an exhibit marked as Exhibit No. KIM 25. It bears</p> <p>20 the Bates numbers RK 113 through RK 115.</p> <p>21 Do you recognize this document?</p> <p>22 A I do. It is an email confirmation for a</p> <p>23 StockX purchase of a Jordan 1 Dark Mocha, dated May</p> <p>24 30th, 2022, bearing Order No. 37858043, dash,</p> <p>25 37757802. The condition is marked as "New, one</p>
<p style="text-align: right;">Page 55</p> <p>1 identification by the Certified Shorthand Reporter</p> <p>2 and is attached hereto.)</p> <p>3 THE WITNESS: Thank you.</p> <p>4 MS. REINCKENS: Okay.</p> <p>5 BY MS. REINCKENS:</p> <p>6 Q Mr. Kim, the court reporter has handed you</p> <p>7 an exhibit marked as Exhibit No. KIM 23. It bears</p> <p>8 the Bates numbers RK 107 through RK 109.</p> <p>9 Do you recognize this document?</p> <p>10 A I do. It is an email confirmation for a</p> <p>11 StockX purchase of a Jordan 1 Dark Mocha, dated June</p> <p>12 seventh, 2022, bearing Order No. 38157530, dash,</p> <p>13 38057289. The condition is marked as "New, one</p> <p>14 hundred percent authentic."</p> <p>15 Q And is this document an accurate reflection</p> <p>16 of what you were trying to purchase?</p> <p>17 A It is.</p> <p>18 Q Did you receive this order from StockX?</p> <p>19 A I did.</p> <p>20 MS. REINCKENS: Exhibit No. KIM 24.</p> <p>21 (Plaintiff's Exhibit 24 was marked for</p> <p>22 identification by the Certified Shorthand Reporter</p> <p>23 and is attached hereto.)</p> <p>24 BY MS. REINCKENS:</p> <p>25 Q Mr. Kim, the court reporter has handed you</p>	<p style="text-align: right;">Page 57</p> <p>1 hundred percent authentic."</p> <p>2 Q Is this document an accurate reflection of</p> <p>3 what you were trying to purchase?</p> <p>4 A It is.</p> <p>5 Q Did you receive this order from StockX?</p> <p>6 A I did.</p> <p>7 MS. REINCKENS: Thank you. Exhibit No. KIM</p> <p>8 26.</p> <p>9 (Plaintiff's Exhibit 26 was marked for</p> <p>10 identification by the Certified Shorthand Reporter</p> <p>11 and is attached hereto.)</p> <p>12 THE WITNESS: Thank you.</p> <p>13 BY MS. REINCKENS:</p> <p>14 Q Mr. Kim, the court reporter has handed you</p> <p>15 a document marked as Exhibit No. KIM 26. It bears</p> <p>16 the Bates numbers RK 116 through RK 118.</p> <p>17 Do you recognize this document?</p> <p>18 A Yes, it's an email confirmation for a</p> <p>19 StockX purchase of a -- excuse me, a Jordan 1 Dark</p> <p>20 Mocha, dated June seventh, 2022, bearing Order No.</p> <p>21 38161749, dash, 38061508. The condition is marked as</p> <p>22 "New, one hundred percent authentic."</p> <p>23 Q Is this document an accurate reflection of</p> <p>24 what you were trying to purchase?</p> <p>25 A It is.</p>

<p>1 Q Did you receive this order from StockX?</p> <p>2 A I did.</p> <p>3 MS. REINCKENS: Exhibit No. KIM 27.</p> <p>4 (Plaintiff's Exhibit 27 was marked for</p> <p>5 identification by the Certified Shorthand Reporter</p> <p>6 and is attached hereto.)</p> <p>7 THE WITNESS: Thank you.</p> <p>8 BY MS. REINCKENS:</p> <p>9 Q Mr. KIM, you've been handed an exhibit</p> <p>10 marked as Exhibit No. KIM 27 bearing the Bates</p> <p>11 numbers RK 119 through RK 121.</p> <p>12 Do you recognize this document?</p> <p>13 A Yes. It's an email confirmation for a</p> <p>14 StockX purchase of a Jordan 1 Dark Mocha, dated May</p> <p>15 31, 2022, bearing Order No. 37892676, dash, 37792435.</p> <p>16 The condition is marked as "New, one hundred percent</p> <p>17 authentic."</p> <p>18 Q Is this document an accurate reflection of</p> <p>19 what you were trying to purchase?</p> <p>20 A It is.</p> <p>21 Q Did you receive this order from StockX?</p> <p>22 A I did.</p> <p>23 Q Down to the last five.</p> <p>24 A All right. I thought it was 300.</p> <p>25 MS. REINCKENS: Exhibit No. KIM 28.</p>	<p>Page 58</p> <p>1 BY MS. REINCKENS:</p> <p>2 Q Mr. KIM, you've been handed a document</p> <p>3 that's been marked as Exhibit No. 29, bearing the Bates</p> <p>4 numbers RK 125 through RK 127.</p> <p>5 Do you recognize this document?</p> <p>6 A I do. It is an email confirmation for a</p> <p>7 StockX purchase of a Jordan 1 Dark Mocha, dated May</p> <p>8 31st, 2022, bearing Order No. 37888697, dash,</p> <p>9 37788456. The condition is marked as "New, one</p> <p>10 hundred percent authentic."</p> <p>11 Q And is this document an accurate reflection</p> <p>12 of what you were trying to purchase?</p> <p>13 A It is.</p> <p>14 Q Did you receive this order from StockX?</p> <p>15 A I did.</p> <p>16 Q I'm getting a workout.</p> <p>17 (Plaintiff's Exhibit 30 was marked for</p> <p>18 identification by the Certified Shorthand Reporter</p> <p>19 and is attached hereto.)</p> <p>20 THE WITNESS: Thank you.</p> <p>21 BY MS. REINCKENS:</p> <p>22 Q Mr. KIM, you've been handed a document</p> <p>23 marked as Exhibit No. KIM 30. It bears the Bates</p> <p>24 numbers RK 128 through RK 130.</p> <p>25 Do you recognize this document?</p>
<p>1 (Plaintiff's Exhibit 28 was marked for</p> <p>2 identification by the Certified Shorthand Reporter</p> <p>3 and is attached hereto.)</p> <p>4 THE WITNESS: Thank you.</p> <p>5 MS. REINCKENS: Okay.</p> <p>6 BY MS. REINCKENS:</p> <p>7 Q Mr. Kim, you've been handed a document</p> <p>8 marked as Exhibit No. KIM 28. It bears the Bates</p> <p>9 numbers RK 122 through RK 124.</p> <p>10 Do you recognize this document?</p> <p>11 A I do. It is an email confirmation for a</p> <p>12 StockX purchase of a Jordan 1 Dark Mocha, dated May</p> <p>13 30, 2022, Order No. 37858075, dash, 37757834. The</p> <p>14 condition is marked as "New, one hundred percent</p> <p>15 authentic."</p> <p>16 Q Is this document an accurate reflection of</p> <p>17 what you were trying to purchase?</p> <p>18 A It is.</p> <p>19 Q Did you receive this order from StockX?</p> <p>20 A I did.</p> <p>21 MS. REINCKENS: Exhibit No. KIM 29, please.</p> <p>22 (Plaintiff's Exhibit 29 was marked for</p> <p>23 identification by the Certified Shorthand Reporter</p> <p>24 and is attached hereto.)</p> <p>25 THE WITNESS: Thank you.</p>	<p>Page 59</p> <p>Page 61</p> <p>1 A I do. It is an email confirmation for a</p> <p>2 StockX order of a Jordan 1 Hyper Royal, dated June</p> <p>3 sixth, 2022, bearing Order No. 38130181, dash,</p> <p>4 38029940. The condition is marked as "New, one</p> <p>5 hundred percent authentic."</p> <p>6 Q And is this document an accurate reflection</p> <p>7 of what you were trying to purchase?</p> <p>8 A It is.</p> <p>9 Q Did you receive this order from StockX?</p> <p>10 A I did.</p> <p>11 MS. REINCKENS: Exhibit No. KIM 31, please.</p> <p>12 (Plaintiff's Exhibit 31 was marked for</p> <p>13 identification by the Certified Shorthand Reporter</p> <p>14 and is attached hereto.)</p> <p>15 THE WITNESS: Thank you.</p> <p>16 BY MS. REINCKENS:</p> <p>17 Q Mr. Kim, you've been handed an exhibit</p> <p>18 marked as Exhibit No. KIM 31. It bears the Bates</p> <p>19 numbers RK 131 through RK 133.</p> <p>20 Do you recognize this document?</p> <p>21 A I do. It is an email confirmation for a</p> <p>22 StockX purchase of a Jordan 1 Hyper Royal, dated June</p> <p>23 fourth, 2022, bearing Order No. 38068072, dash,</p> <p>24 37967831. The condition is marked as "New, one</p> <p>25 hundred percent authentic."</p>

<p>1 Q And is this document an accurate reflection 2 of what you were trying to purchase?</p> <p>3 A It is.</p> <p>4 Q Did you receive this order from StockX?</p> <p>5 A I did.</p> <p>6 Q Okay. Last one.</p> <p>7 A All right.</p> <p>8 MS. REINCKENS: Exhibit No. KIM 32.</p> <p>9 (Plaintiff's Exhibit 32 was marked for 10 identification by the Certified Shorthand Reporter 11 and is attached hereto.)</p> <p>12 THE WITNESS: Thank you.</p> <p>13 BY MS. REINCKENS:</p> <p>14 Q Mr. Kim, the court reporter has handed you 15 a document marked as Exhibit No. KIM 32. It bears 16 the Bates numbers RK 134 through RK 136.</p> <p>17 Do you recognize this document?</p> <p>18 A I do. It is an email confirmation for a 19 StockX purchase of a Jordan 1 Hyper Royal, dated May 20 30th, 2022, bearing the Order No. 37870331, dash, 21 37770090. The condition is marked as "New, one 22 hundred percent authentic."</p> <p>23 Q Is this document an accurate reflection of 24 what you were trying to purchase?</p> <p>25 A It is.</p>	<p>Page 62</p> <p>1 counsel in this case; is that right?</p> <p>2 A Yes.</p> <p>3 Q And what is this document?</p> <p>4 A So this document is something I pulled off 5 my inventory spreadsheet which indicate the shoes 6 that I bought during this time from StockX that I 7 believed to have been fake.</p> <p>8 The -- column A covers the shoes. Column B 9 covers the condition. C is the style code. D is the 10 size. E is the purchase date. F is a mark that I 11 just made for myself. So these shoes were the ones 12 that failed the -- I believe, like the photo 13 authentication apps.</p> <p>14 So this is kind of like the initial list 15 the shoes that I made just to make sure that I didn't 16 pass these along through, you know, consignment 17 stores, just to set them aside for myself.</p> <p>18 So I believe this list was generated on my 19 first pass of trying to understand whether these 20 shoes were fake or not.</p> <p>21 Q And so you created this spreadsheet 22 yourself?</p> <p>23 A Yes, this is my spreadsheet.</p> <p>24 Q And why do you track -- do you track all of 25 your orders?</p>
<p>1 Q And did you receive this order from StockX?</p> <p>2 A I did.</p> <p>3 MS. REINCKENS: Is now a good time for a 4 break? I think we've been going for over an hour.</p> <p>5 MR. HINDMAN: Yes, please.</p> <p>6 MS. REINCKENS: Okay.</p> <p>7 THE VIDEOGRAPHER: Off the record at 8 a.m.</p> <p>9 (Brief interruption in proceedings.)</p> <p>10 THE VIDEOGRAPHER: Back on the record, 11 beginning media unit two at 11:01 a.m.</p> <p>12 MS. REINCKENS: Mark this as Exhibit 13 No. 33.</p> <p>14 (Plaintiff's Exhibit 33 was marked for 15 identification by the Certified Shorthand Reporter 16 and is attached hereto.)</p> <p>17 MS. REINCKENS: Okay.</p> <p>18 BY MS. REINCKENS:</p> <p>19 Q Mr. KIM, you've been handed a document 20 marked as Exhibit No. 33. It bears the Bates numbers 21 RK 13 through RK 14.</p> <p>22 Do you see that?</p> <p>23 A Yes.</p> <p>24 Q And the document that had the Bates numbers 25 RK, those are documents that were produced by your</p>	<p>Page 63</p> <p>Page 65</p> <p>1 A I do. I track every single shoe that I buy 2 and sell because the reselling thing I kind of do for 3 fun and I'm interested in the economics of it.</p> <p>4 So I do track every single shoe I buy and 5 sell, the price that they sold for just to 6 understand, like, what the ROI and stuff on that is.</p> <p>7 So, yes.</p> <p>8 Q So if we were to compare this spreadsheet 9 to the documents that we previously reviewed as 10 exhibits, the order numbers would match up; is that 11 right?</p> <p>12 A I didn't put order numbers on this sheet. 13 I didn't keep track of the order numbers themselves.</p> <p>14 There should be a high degree of overlap on 15 this. If I recall -- because this was the batch of 16 shoes that I had set aside to have looked at, so I 17 think there's a high degree of overlap.</p> <p>18 But I didn't reconcile my notations of fake 19 with what ultimately was returned to StockX or 20 verified as a fake by Nike.</p> <p>21 Q And you received all of the orders that are 22 shown here on this spreadsheet; is that right?</p> <p>23 MR. POTTER: Objection to form.</p> <p>24 THE WITNESS: I believe so, yes.</p> <p>25 //</p>

<p style="text-align: right;">Page 74</p> <p>1 MS. REINCKENS: You may answer.</p> <p>2 THE WITNESS: I am.</p> <p>3 MS. REINCKENS: Okay.</p> <p>4 BY MS. REINCKENS:</p> <p>5 Q And who is -- if you can tell me, as far as</p> <p>6 you know, received similar advice?</p> <p>7 A It's one of the people that I -- another</p> <p>8 one of the power resellers that messaged on</p> <p>9 Instagram.</p> <p>10 Q Okay.</p> <p>11 A He's also the one that was referenced on</p> <p>12 Exhibit No. 35, in that screenshot chat. He's the</p> <p>13 same person.</p> <p>14 Q Okay.</p> <p>15 And do you happen to recall his screen</p> <p>16 name?</p> <p>17 A I don't recall it right now, but I could</p> <p>18 probably look it up on my Instagram if I needed to.</p> <p>19 Q All right.</p> <p>20 Now, speaking of Instagram, if you could</p> <p>21 please mark this as Exhibit No. 36.</p> <p>22 MR. POTTER: I think we're at Exhibit No.</p> <p>23 37.</p> <p>24 THE COURT REPORTER: For clarity, it's</p> <p>25 Exhibit No. 37.</p>	<p style="text-align: right;">Page 76</p> <p>1 account "sneakerstrut"?</p> <p>2 A About four or five years, I believe.</p> <p>3 Q Okay.</p> <p>4 And what kind of content do you post on the</p> <p>5 "sneakerstrut" account?</p> <p>6 A So, it's mostly just like a personal</p> <p>7 sneaker diary. I just like to take a picture of</p> <p>8 whatever shoe I'm wearing that day and just post it</p> <p>9 there.</p> <p>10 I also would use -- because a lot of my</p> <p>11 following are Instagram resellers or other sneaker</p> <p>12 influencers, sometimes I'll use stories to just talk</p> <p>13 about the market of the re-sell or -- you know, just</p> <p>14 stories that have to do with sneaker reselling.</p> <p>15 Q Okay. And do you have any idea of what</p> <p>16 type of users follow your account?</p> <p>17 MR. POTTER: Objection to form.</p> <p>18 THE WITNESS: I have a lot of friends that</p> <p>19 follow, mostly sneaker enthusiasts. Some sneaker</p> <p>20 resellers and a lot of bots unfortunately.</p> <p>21 MS. REINCKENS: Okay. I'll mark this,</p> <p>22 please, as Exhibit No. 38.</p> <p>23 (Plaintiff's Exhibit 38 was marked for</p> <p>24 identification by the Certified Shorthand Reporter</p> <p>25 and is attached hereto.)</p>
<p style="text-align: right;">Page 75</p> <p>1 MS. REINCKENS: Oh, it is. Did I mess it</p> <p>2 up already? Oh, yes. Thank you.</p> <p>3 It's exhibit No. 37. Thank you.</p> <p>4 (Plaintiff's Exhibit 37 was marked for</p> <p>5 identification by the Certified Shorthand Reporter</p> <p>6 and is attached hereto.)</p> <p>7 THE WITNESS: Thank you.</p> <p>8 MS. REINCKENS: Okay.</p> <p>9 BY MS. REINCKENS:</p> <p>10 Q Mr. Kim, the court reporter has handed you</p> <p>11 a document marked as Exhibit No. 37 and I will</p> <p>12 represent to you that this a printout of your</p> <p>13 Instagram page --</p> <p>14 A It is?</p> <p>15 Q -- that was taken yesterday on February</p> <p>16 seventh, 2023.</p> <p>17 Do you recognize this document to be a</p> <p>18 printout of your Instagram page?</p> <p>19 A I do.</p> <p>20 Q Okay.</p> <p>21 And your Instagram username is</p> <p>22 "sneakerstrut"; is that right?</p> <p>23 A It is.</p> <p>24 Q Okay.</p> <p>25 How long have you been using the Instagram</p>	<p style="text-align: right;">Page 77</p> <p>1 THE WITNESS: Thank you.</p> <p>2 BY MS. REINCKENS:</p> <p>3 Q Mr. Kim, the court reporter has handed you</p> <p>4 a document marked as Exhibit No. 38. And I'll</p> <p>5 represent to you that this is a printout of -- taken</p> <p>6 on February seventh, 2023, at 1:55 p.m. of your</p> <p>7 Instagram account and, in particular, a post that was</p> <p>8 made on July fifth, 2022.</p> <p>9 Do you recognize this post, sir?</p> <p>10 A I do.</p> <p>11 Q Okay.</p> <p>12 And what is it?</p> <p>13 A It was the post that I made saying that I</p> <p>14 had received a bunch of shoes that had failed Legit</p> <p>15 Check and CheckCheck Application.</p> <p>16 And so just documenting what I believe were</p> <p>17 fake shoes sold by StockX.</p> <p>18 Q Okay.</p> <p>19 And you posted this then on July fifth,</p> <p>20 2022; correct?</p> <p>21 A That is correct, yes.</p> <p>22 Q Okay.</p> <p>23 All right. You can put that to the side.</p> <p>24 MS. REINCKENS: Mark this as Exhibit</p> <p>25 No. 39, please.</p>

<p style="text-align: right;">Page 78</p> <p>1 (Plaintiff's Exhibit 39 was marked for 2 identification by the Certified Shorthand Reporter 3 and is attached hereto.)</p> <p>4 THE WITNESS: Thank you.</p> <p>5 BY MS. REINCKENS:</p> <p>6 Q Now, Mr. Kim, you've been handed a document 7 marked as Exhibit No. 39. It bears the Bates numbers 8 NIKE 36330 through NIKE 36338. And I will represent 9 to you that this is a printout from Page Vault and 10 Page Vault is a service that is used to capture web 11 content and it was produced in this case by Nike.</p> <p>12 I will represent to you that is -- it 13 captures the same Instagram post that we just looked 14 at in Exhibit No. 38.</p> <p>15 Just looking at this document, sir, does 16 this appear to be an accurate capture of that post?</p> <p>17 A Yes.</p> <p>18 Q And this document is a little bit difficult 19 to follow, but if you look at the cover page it has 20 the capture time stamp.</p> <p>21 Do you see that?</p> <p>22 A Yes. I see the capture timestamp yes.</p> <p>23 Q What is the date of that capture?</p> <p>24 A It says Tuesday, the 12th of July 2022 --</p> <p>25 Q Okay.</p>	<p style="text-align: right;">Page 80</p> <p>1 Q Okay. 2 And if you could, please, just read that 3 caption into the record?</p> <p>4 A "This is what \$10,000 plus of fake sneakers 5 that passed through StockX looks like. I bought 6 about 62 pairs of Uni Mocha Hyper Royals through 7 StockX over the last month. Of those 36 have failed 8 authentication at CheckCheck and Legit Check App. I 9 haven't tried to sell them through Ebay or GOAT, but 10 somebody else who's been buying their pairs from 11 StockX told me these pairs have been failing through 12 GOAT authentication at a very high rate. This means 13 that StockX's authentication on these pairs is only 14 42 percent accurate, 58 percent of the pairs they are 15 selling will be marked as 'not legit' consistently by 16 other sources. There's a huge problem here. Of 17 course, StockX support is silent when brought up 18 through support channels. Any human authentication 19 system is going to have errors, but whatever StockX 20 is doing right now is not working and the ability to 21 fix these errors is nearly non-existent. Hashtag 22 StockX."</p> <p>23 Q Now, when you referenced in the first 24 sentence, "sneakers that passed through at StockX 25 looks like," did you tag StockX there?</p>
<p style="text-align: right;">Page 79</p> <p>1 A -- at 8:32 GMT.</p> <p>2 Q All right.</p> <p>3 And is -- can you please confirm that this 4 post is still visible on your Instagram account --</p> <p>5 A It is still --</p> <p>6 Q -- today?</p> <p>7 A It is still visible today, yes.</p> <p>8 Q Okay.</p> <p>9 Now, if you look at page four, it's the 10 document that ends in -- or that's Bates numbered 11 36333. There's a large block of text underneath the 12 images.</p> <p>13 Do you see that?</p> <p>14 A On page three?</p> <p>15 Q It's -- yes, page three of eight or 16 otherwise NIKE 36333.</p> <p>17 A Oh, yeah, I see it.</p> <p>18 Q Okay.</p> <p>19 And what is the large text that appears 20 under the images?</p> <p>21 A That is the description of the Instagram 22 post that I make.</p> <p>23 Q Okay.</p> <p>24 And so did you write this, sir?</p> <p>25 A I did.</p>	<p style="text-align: right;">Page 81</p> <p>1 A Did I tag StockX there, yes.</p> <p>2 Q Okay.</p> <p>3 So that would be a tag back to StockX's 4 Instagram account then; correct?</p> <p>5 A Yes.</p> <p>6 Q All right.</p> <p>7 And as far as you're aware would StockX 8 receive notice of being tagged in your post?</p> <p>9 MR. POTTER: Objection to form.</p> <p>10 THE WITNESS: I don't know how those big 11 business accounts work, but I would imagine they do.</p> <p>12 MS. REINCKENS: Okay. Thank you.</p> <p>13 BY MS. REINCKENS:</p> <p>14 Q Now, underneath your caption is says, 15 "Edited."</p> <p>16 Do you see that?</p> <p>17 A Yes.</p> <p>18 Q Okay.</p> <p>19 What does that mean?</p> <p>20 A It means I modified the description from 21 the first time I posted to what the final version 22 was.</p> <p>23 Q Do you recall how you edited it?</p> <p>24 A I do not recall.</p> <p>25 It was probably punctuation error or</p>

<p style="text-align: right;">Page 82</p> <p>1 something with the spelling.</p> <p>2 Q Now, on the same page you say "StockX</p> <p>3 support is silent when brought up through support</p> <p>4 channels."</p> <p>5 What did you mean by that?</p> <p>6 A I meant that I had reached out through</p> <p>7 their help channels on their website. I received no</p> <p>8 notification at this time. Although Discord isn't an</p> <p>9 official support channel, I kind of included that in</p> <p>10 my mind where I tried to reach out through their</p> <p>11 Discord as well and have not received any response</p> <p>12 except from this at DarkJ reported to be a StockX</p> <p>13 employee.</p> <p>14 Q Thank you.</p> <p>15 MS. REINCKENS: Mark this as Exhibit</p> <p>16 No. 40, please.</p> <p>17 (Plaintiff's Exhibit 40 was marked for</p> <p>18 identification by the Certified Shorthand Reporter</p> <p>19 and is attached hereto.)</p> <p>20 MS. REINCKENS: Okay.</p> <p>21 BY MS. REINCKENS:</p> <p>22 Q Mr. Kim, the court reporter has handed you</p> <p>23 a document that's been marked as Exhibit No. 40. It</p> <p>24 bears the Bates No. NIKE 29207, excuse me.</p> <p>25 And do you recognize this document, sir?</p>	<p style="text-align: right;">Page 84</p> <p>1 for Nike to look at them.</p> <p>2 Q And were those the same pairs that were</p> <p>3 depicted in your Instagram post?</p> <p>4 A Yes, and a few more.</p> <p>5 Q Okay.</p> <p>6 And were those the same pairs as the order</p> <p>7 confirmations that we reviewed earlier, sir?</p> <p>8 A Yes.</p> <p>9 MR. POTTER: Objection.</p> <p>10 THE WITNESS: I'm sorry.</p> <p>11 MR. POTTER: Objection to form.</p> <p>12 BY MS. REINCKENS:</p> <p>13 Q Did each pair come from StockX?</p> <p>14 A Yes.</p> <p>15 Q And how can you be sure of that?</p> <p>16 A The ones that I had set aside still had --</p> <p>17 well, most of them had still the StockX tags attached</p> <p>18 to them.</p> <p>19 So StockX, when they authenticate their</p> <p>20 shoes, attaches a tag that you cannot be removed --</p> <p>21 well, you can remove it, but you cannot reattach it,</p> <p>22 so these were still -- and that's how they embed,</p> <p>23 like, the order number on the RFI to you.</p> <p>24 So most of the ones I had set aside still</p> <p>25 had the StockX tag on them. I had a few that I</p>
<p style="text-align: right;">Page 83</p> <p>1 A I do.</p> <p>2 Q Okay.</p> <p>3 And what is it?</p> <p>4 A It is an email from Tamar -- I'm going to</p> <p>5 butcher the last name -- Tamar Duvdevani, a lawyer at</p> <p>6 DLA Piper who represents Nike, asking me to -- if I</p> <p>7 would speak with her about my Instagram post.</p> <p>8 Q And when did you receive this email?</p> <p>9 A July 11th, 2022.</p> <p>10 Q And is this the first time you were</p> <p>11 contacted by anyone from the Nike team?</p> <p>12 A Yes.</p> <p>13 Q Is it correct also that on July -- July</p> <p>14 22nd, 2022, representatives from Nike inspected the</p> <p>15 shoes?</p> <p>16 A Yes.</p> <p>17 Q Do you recall where the inspection took</p> <p>18 place?</p> <p>19 A At my home.</p> <p>20 Q Do you recall who was present?</p> <p>21 A Yes, you were, Melissa and then a product</p> <p>22 authenticator from Nike. I do not remember his name.</p> <p>23 Q And how did you set aside the pairs that</p> <p>24 were inspected by Nike?</p> <p>25 A I set them on my rooftop table to -- yeah,</p>	<p style="text-align: right;">Page 85</p> <p>1 prematurely removed the tags, that I just wanted, you</p> <p>2 know, to know if they were fake or not so I knew</p> <p>3 what to do with them.</p> <p>4 So, yeah.</p> <p>5 Q And did any of those shoes come without</p> <p>6 tags?</p> <p>7 MR. POTTER: Objection to form.</p> <p>8 THE WITNESS: From StockX, no. All the</p> <p>9 StockX shoes came with tags.</p> <p>10 BY MS. REINCKENS:</p> <p>11 Q After receiving the shoes initially from</p> <p>12 StockX, how did you store them?</p> <p>13 A They were stored in my garage.</p> <p>14 Q And after Nike left, what did you do with</p> <p>15 the shoes?</p> <p>16 MR. POTTER: Objection to form.</p> <p>17 THE WITNESS: I packaged them up and sent</p> <p>18 them back with the labels that my StockX</p> <p>19 representative had sent me to send back to StockX.</p> <p>20 BY MS. REINCKENS:</p> <p>21 Q About how soon after the inspection on July</p> <p>22 22nd, did you return the shoes to StockX?</p> <p>23 A Within days.</p> <p>24 Q Did you give the shoes to any other parties</p> <p>25 before returning them to StockX?</p>

<p style="text-align: right;">Page 174</p> <p>1 I think as far as reselling is concerned, I 2 am more sophisticated in my use of that platform, but 3 I actually think StockX is used by a lot of, like, 4 non-sneaker heads, too, to purchase shoes. 5 BY MR. POTTER: 6 Q Do you believe that other sneaker resellers 7 are more sophisticated than average sneaker 8 purchasers? 9 A Yes. 10 MR. POTTER: No further questions. 11 MS. REINCKENS: Thank you. 12 THE VIDEOGRAPHER: Off the record at 13 p.m. concluding today's deposition. 14 (Deposition ended at 1:40 p.m.) 15 /// 16 /// 17 /// 18 19 20 21 22 23 24 25</p>	<p style="text-align: right;">Page 176</p> <p>1 JESSE HINDMAN, ESQ. 2 jeese@erhlawfirm.com 3 February 13, 2023 4 RE: Nike, Inc. v. Stockx, LLC 5 2/8/2023, Roy Ikhyun Kim (#5689465) 6 The above-referenced transcript is available for 7 review. 8 Within the applicable timeframe, the witness should 9 read the testimony to verify its accuracy. If there are 10 any changes, the witness should note those with the 11 reason, on the attached Errata Sheet. 12 The witness should sign the Acknowledgment of 13 Deponent and Errata and return to the deposing attorney. 14 Copies should be sent to all counsel, and to Veritext at 15 cs-ny@veritext.com 16 17 Return completed errata within 30 days from 18 receipt of testimony. 19 If the witness fails to do so within the time 20 allotted, the transcript may be used as if signed. 21 22 Yours, 23 Veritext Legal Solutions 24 25</p>
<p style="text-align: right;">Page 175</p> <p>1 STATE OF CALIFORNIA) 2) ss. 3 COUNTY OF LOS ANGELES) 4 I, Lynda L. Fenn, Certified Shorthand 5 Reporter No. 12566 for the State of California, do 6 hereby certify: 7 That prior to being examined, the witness named 8 in the foregoing deposition was duly sworn to testify 9 the truth, the whole truth, and nothing but the 10 truth; 11 That said deposition was taken down by me in 12 shorthand at the time and place therein named and 13 thereafter reduced by me to typewritten form and that 14 the same is a true, correct, and complete transcript 15 of said proceedings. 16 Before completion of the deposition, review of 17 the transcript [X] was [] was not requested. If 18 requested, any changes made by the deponent (and 19 provided to the reporter) during the period allowed 20 are appended hereto. 21 I further certify that I am not interested in 22 the outcome of the action. 23 Witness my hand this 13th day of February, 2023. 24 25  Lynda L. Fenn, CSR, RPR</p>	<p style="text-align: right;">Page 177</p> <p>1 Nike, Inc. v. Stockx, LLC 2 Roy Ikhyun Kim (#5689465) 3 E R R A T A S H E E T 4 PAGE____ LINE____ CHANGE_____ 5 _____ 6 REASON_____ 7 PAGE____ LINE____ CHANGE_____ 8 _____ 9 REASON_____ 10 PAGE____ LINE____ CHANGE_____ 11 _____ 12 REASON_____ 13 PAGE____ LINE____ CHANGE_____ 14 _____ 15 REASON_____ 16 PAGE____ LINE____ CHANGE_____ 17 _____ 18 REASON_____ 19 PAGE____ LINE____ CHANGE_____ 20 _____ 21 REASON_____ 22 _____ 23 _____ 24 Roy Ikhyun Kim Date 25</p>

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